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**VIA E-SUBMISSION**

October 28, 2025

Grace R. Graham  
Deputy Commissioner for Policy, Legislation, and International Affairs  
Division of Dockets Management  
(HFA-305) U.S. Food and Drug  
Administration (“FDA”) 5630  
Fishers Lane, Room 1061  
Rockville, MD 20852  
<https://www.regulations.gov>

**RE: Onshoring Manufacturing of Drugs and Biological Products Request for Comments  
(Docket No. FDA-2025-N-2489)**

Dear Deputy Commissioner Graham:

The Massachusetts Biotechnology Council (MassBio) appreciates this opportunity to submit comments in response to a request by the Food and Drug Administration (FDA) for information about the agency’s draft “PreCheck” framework, which was presented at a public meeting entitled “Onshoring Manufacturing of Drugs and Biological Products” on September 30, 2025, and related issues surrounding the establishment of new pharmaceutical manufacturing facilities in the United States to strengthen the country’s supply chain resilience.<sup>1</sup>

MassBio represents the premier global life sciences and healthcare hub of Massachusetts, which has a vibrant biomedical research and development community that is a global leader for medical discovery and innovation. MassBio’s 1,800+ member organizations are dedicated to preventing, treating, and curing diseases through transformative science and technology that brings value and hope to patients. MassBio’s mission is to advance Massachusetts’ leadership in the life sciences to grow the industry, add value to the healthcare system, and improve patient lives.

**I. Overview**

MassBio supports the FDA’s goal of facilitating the onshoring of pharmaceutical manufacturing by increasing regulatory predictability and providing earlier regulatory input, enhanced engagement, and efficient feedback on chemistry, manufacturing and controls (CMC) sections of

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<sup>1</sup> 90 Fed. Reg. 151 at 38475 (Aug. 8, 2025).

a drug application. These elements of the FDA PreCheck program could potentially benefit the sponsors that are able to participate in the program.

Broader eligibility for the PreCheck program, greater flexibility in its implementation, and additional incentives could further advance the administration's goals of onshoring domestic pharmaceutical production. MassBio encourages FDA to continue to receive feedback from a diverse set of stakeholders and provide greater clarity on these considerations as it continues to develop the PreCheck program.

In summary, we provide the following comments:

- The industry faces significant regulatory and non-regulatory challenges to onshoring pharmaceutical manufacturing, especially for sponsors that seek approval in multiple jurisdictions.
- Greater communication with the FDA earlier in the application review process is always welcome, but additional clarity surrounding regulatory expectations and separating the facility inspection from the application process should also be considered.
- Policies to promote onshoring should recognize the essential role of contract manufacturing in biotech innovation.
- Any approach to promote domestic production of pharmaceutical products should prioritize timely and efficient access to safe and effective innovative therapies.

## **II. Barriers to Establishing New Domestic Pharmaceutical Manufacturing Facilities**

MassBio understands that the FDA PreCheck program was developed in response to Executive Order (E.O.) 14293, "Regulatory Relief to Promote Domestic Production of Critical Medicines," which directs FDA to review existing regulations and guidance that pertain to the development of domestic pharmaceutical manufacturing and take steps to "eliminate any duplicative or unnecessary requirements . . . ; maximize the timeliness and predictability of agency review; and streamline and accelerate the development of domestic pharmaceutical manufacturing."<sup>2</sup>

As part of this effort, FDA has asked stakeholders for input regarding the regulatory hurdles that potentially stand in the way of establishing a new domestic pharmaceutical manufacturing facility. One of the greatest challenges that industry faces is the cumulative regulatory burden associated with obtaining and maintaining regulatory approvals in multiple jurisdictions across the globe. Some jurisdictions that have comparable expectations for facility design, quality control, and good manufacturing practices (GMPs) have reciprocity agreements with other jurisdictions. For example, the European Union (EU) has signed mutual recognition agreements (MRAs) with a number of third-country authorities—including Australia, Canada, Israel, Japan, New Zealand, Switzerland, and the U.S.—related to GMP inspections and batch certifications of medicines.<sup>3</sup> Because the U.S.

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<sup>2</sup> 90 Fed. Reg. 19615 (May 5, 2025).

<sup>3</sup> European Medicines Agency, Mutual Recognition Agreements, <https://www.ema.europa.eu/en/human-regulatory-overview/research-development/compliance-research-development/good-manufacturing-practice/mutual-recognition->

lacks mutual agreements with some major markets, pharmaceutical products manufactured in the U.S. may face additional regulatory hurdles when exported.

The U.S. also lacks a procedure to certify the GMP status of a facility early in the regulatory process, especially for clinical manufacturing. In the EU, a national competent authority in a member state performs an on-site inspection of a facility and issues a GMP certificate if the facility complies with EU GMP guidelines.<sup>4</sup> Although the GMP certificate is a requirement for holding a manufacturing or import authorization in the EU, it is not tied to a single product approval. The FDA pre-approval inspection (PAI) process, on the other hand, is tied to a particular product application and occurs late in the review cycle. Any questions or issues that are identified during a PAI could have a major impact on drug approval, because such issues can be very difficult to resolve in a short timeframe. This inspection schedule and underlying system also makes it more difficult for U.S.-based contract manufacturing organizations (CMOs) or contract development manufacturing organizations (CDMOs) to attract sponsors.

To maximize the timeliness and predictability of agency review and foster domestic production, MassBio recommends that FDA inspect domestic pharmaceutical manufacturing facilities as early as possible in the drug development process to help sponsors address potential GMP issues well in advance of a new drug application (NDA) or biologics license application (BLA) submission. Decoupling the GMP certification of a facility from the marketing application of a specific product would also facilitate contract manufacturing in the U.S.

Enhanced regulatory predictability and consistency would also help streamline and accelerate the development of domestic pharmaceutical manufacturing. More granular guidance on a variety of GMP-related topics, such as warehousing of pharmaceutical products and environmental monitoring requirements, would provide sponsors—and FDA inspectors alike—with greater clarity about the agency's expectations.

The decision of where to locate a manufacturing facility, however, is not only driven by regulatory constraints. The decision is made after evaluating a variety of business factors, including tax rates and/or tax incentives, the cost of building a facility, other manufacturing and labor costs, the availability of a skilled workforce, access to starter materials, the strength of the supply chain infrastructure, and other considerations. If a sponsor has already built or has committed to build a manufacturing facility in a different country, the cost of building a second facility in the U.S. or moving the production to a U.S. facility could simply be too high. Indeed, for rare disease products in particular, the quantities that need to be produced are so small that manufacturers must carefully consider the costs and benefits of building their own manufacturing facility. As a result of these low volumes, sponsors of rare disease drugs often must turn to contract manufacturing solutions and are thus constrained by the capacity and capabilities of U.S. contract manufacturers.

In fact, 80 percent of MassBio's biopharma member companies have fewer than 50 employees, and these companies have no commercial revenue because they do not yet have an FDA- approved

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[agreements-mra](#).

<sup>4</sup> European Medicines Agency, The Issue and Update of GMP Certificates, [https://www.ema.europa.eu/en/documents/regulatory-procedural-guideline/issue-update-good-manufacturing-practice-gmp-certificates\\_en.pdf](https://www.ema.europa.eu/en/documents/regulatory-procedural-guideline/issue-update-good-manufacturing-practice-gmp-certificates_en.pdf).

product. Such companies often lack the financial resources or organizational expertise to invest in onshoring production. These small companies also rely on services from overseas CMOs and CDMOs for critical research and development expertise and manufacturing capabilities, including raw material sourcing, molecule development and production, cell line development, biomarker testing, and more. Any policies that are intended to facilitate the onshoring of domestic manufacturing should take into account the vital role that CMOs and CDMOs play in promoting biotechnology innovation.

### **III. Elements of the FDA PreCheck Proposal That Would Help Establish New Domestic Pharmaceutical Manufacturing Facilities**

Turning to the FDA PreCheck proposal specifically, the elements with the most potential to help the establishment of new domestic pharmaceutical manufacturing facilities relate to the potential for sponsors to receive earlier or enhanced feedback from FDA on facility design and CMC issues as well as accelerated quality element assessments. While sponsors have been able to obtain feedback on facility and CMC issues through other avenues of engagement with FDA (e.g. pre-application meetings), MassBio welcomes additional avenues to engage with FDA to streamline and accelerate facility approval and readiness.

### **IV. Eligibility and Implementation Considerations**

As FDA works to finalize the FDA PreCheck program, additional clarity regarding eligibility for the program and how it will be implemented should be provided.

Although the FDA PreCheck program appears to focus on sponsors who are planning to build new pharmaceutical manufacturing facilities, MassBio supports expanding eligibility for the program to include the enhancement of existing facilities (or facilities under construction), whether through physical expansion, adding new product lines, incorporating advanced manufacturing capabilities, or transferring technology for approved products from other sites. FDA also should provide additional information to stakeholders regarding how CMOs and CDMOs will be integrated into the program. To encourage the establishment and expansion of domestic contract manufacturing, MassBio recommends that FDA consider establishing facility inspections and GMP certificates through the PreCheck program that are not directly linked to specific products and applications.

Further information is also needed to guide BLA sponsors on how they can leverage a Type V Drug Master File (DMF) to provide manufacturing facility information, particularly when the DMF is owned by a CMO or CDMO.

### **V. Other Incentives to Encourage Domestic Manufacturing**

MassBio supports encouraging the growth of domestic capacity for pharmaceutical research, development, and manufacturing through a variety of incentives that expand biotechnology innovation in a thoughtful and purposeful way. However, providing patients with timely access to safe and effective medical therapies should always remain the top priority, regardless of where the products are manufactured. Pharmaceuticals and pharmaceutical ingredients are vital for the global community, whether they are fully or partially manufactured in the U.S. or in another

country, so policies should be carefully developed to encourage the most efficient use of manufacturing resources.

In addition to the proposals outlined in the FDA PreCheck program, domestic manufacturing can be encouraged through policies that provide tax and other financial incentives (e.g. accelerated pathways and market exclusivities), reduce costs for supplies (e.g. tariff waivers for raw materials), provide support for training skilled labor, and deliver greater regulatory predictability through more granular guidance.

## **VI. Key Recommendations**

Below are specific recommendations that MassBio encourages the FDA to consider in developing any potential policy to promote the domestic production of pharmaceutical products, as well as more general recommendations we encourage the administration to consider as part of its efforts to continue to grow domestic capacity for pharmaceutical research, development, and manufacturing.

- Conduct FDA facility inspections earlier in the development process and decouple GMP certification from product applications.
- Expand FDA PreCheck eligibility to include enhancements of existing facilities and integration of CMOs/CDMOs.
- Provide more granular and timely guidance on a variety of GMP topics to clarify FDA's expectations and promote consistency among inspections.
- Develop other targeted incentives (tax, regulatory, workforce, supply chain) to support onshoring.
- Continue to maintain patient access and innovation as top priorities.

## **VII. Conclusion**

MassBio thanks the FDA for considering our comments and remains available to provide further input on incentivizing domestic production of pharmaceuticals. As always, we are committed to working with the administration on productive policies that will benefit U.S. patients and innovators and preserve and extend U.S. leadership in the biotechnology industry.

Please do not hesitate to contact me at (617)-674-5148 or [kendalle.oconnell@massbio.org](mailto:kendalle.oconnell@massbio.org) if you have any questions or would like any additional information to consider our comments.

Sincerely,



Kendalle Burlin O'Connell  
*CEO & President*  
*Massachusetts Biotechnology Council (MassBio)*